



Patent  
Attorney's Docket No. 017753-146

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )  
Monika LUSKY *et al.* ) Group Art Unit: 1636  
Application No.: 09/867,475 ) Examiner: Maria Marvich  
Filed: May 31, 2001 ) Confirmation No.: 7808  
For: CHIMERIC ADENOVIRAL VECTORS )

**SUBMISSION OF TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached please find an executed Terminal Disclaimer in connection with the application identified above.

A check for [ ] \$55.00 (2814) [X] \$110.00 (1814) to cover the requisite Government fee is also attached. The Director is authorized to charge any fees that may be required by this paper, and to credit any overpayment, to Deposit Account 02-4800. This paper is submitted in duplicate.

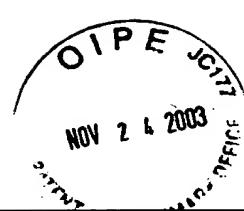
Respectfully submitted,

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Date: November 24, 2003

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**TERMINAL DISCLAIMER TO OBLIGATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT**Docket Number (Optional)  
017753-146

In re Application of: Monika LUSKY *et al.*  
Application No.: 09/867,475  
Filed: May 31, 2001  
For: CHIMERIC ADENOVIRAL VECTORS

The owner\*, TRANSGENE S.A. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,479,290. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2.  The undersigned is an attorney of record.

November 24, 2003

Date

Signature

Teresa Stanek Rea, Reg. No. 30,427

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Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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